

## **AGENDA ITEM #5**

### **Consideration of request for approval of amendments to Information Bulletin #45 addressing the disposition of permanently injured, non-releasable animals**

This policy was originally approved a few years ago and has been effective in reducing the number of non-releasable animals kept by licensed rehabilitators and has provided a standard for conservation officers throughout the state. However, some revisions are needed in order to clarify under which licenses a rehabilitator can keep a non-releasable wild animal. Furthermore, the category for migratory birds needs to be added for rehabilitators who handle federally-protected migratory birds; they are required to release migratory birds within 180 days according to federal law, unless authorization is given to keep the bird longer to assist in its recovery or it is determined to be non-releasable and kept for educational purposes.

The purpose of this non-rule policy document is to establish guidelines for permanently injured and non-releasable wild animals taken in by licensed wildlife rehabilitators. The Division of Fish and Wildlife wishes to protect wild animal populations and provide for conservation education, but also to emphasize the need to euthanize a wild animal humanely when appropriate and prevent wild animals from being kept as pets. Sick, injured or orphaned wild animals are captured every year by the public and given to licensed rehabilitators with the intent of releasing them back into the wild. Some wild animals are unable to be released even after medical treatment due to a serious injury or an acclimation to humans. As a result, wildlife rehabilitators often keep these permanently injured or non-releasable animals under various permits, including wild animal possession and education permits.

**Natural Resources Commission**  
**Information Bulletin #45 (First Amendment)**  
**June 1, 2007**

**Disposition of Permanently Injured, Non-Releasable Wild Animals**

**1. Purpose**

The purpose of this nonrule policy document is to establish guidelines for permanently injured and non-releasable wild animals taken in by ~~licensed wildlife rehabilitators~~ **a person to whom a wild rehabilitation permit is issued under 312 IAC 9-10-9**. The desire is to protect wild animal populations and provide for conservation education, but also to emphasize the need to euthanize a wild animal humanely when appropriate and prevent wild animals from being kept as pets.

**2. Rehabilitation of Indiana's Wildlife**

Sick, injured or orphaned wild animals are captured every year by the public and given to licensed rehabilitators with the intent of releasing them back into the wild. The rehabilitation of wild animals such as white-tailed deer serves a need that satisfies the conscience of society, although scientific evidence has not proven that this is an effective tool for the management of wild animal populations. Some wild animals are unable to be released even after medical treatment due to a serious injury or an acclimation to humans. As a result, wildlife rehabilitators often keep these permanently injured or non-releasable animals under various permits, including wild animal possession and education permits.

**3. ~~Requirements of Wild Animal Rehabilitation Permits~~ General Possession Limit of 180 Days**

**As provided in 312 IAC 9-10-9(a), a white-tailed deer must not be possessed for more than 180 days unless a conservation officer inspects the animal and determines an extended period may be reasonably expected to result in its rehabilitation.** As a condition of the rehabilitation permit, **the Division of Fish and Wildlife may require that other** wild animals taken in for rehabilitation are to be released within 180 days. If a rehabilitator intends to possess a wild animal beyond this 180-day rehabilitation period, a conservation officer **or staff specialist within the Division of Fish and Wildlife** must be contacted as to the disposition. Reasonable extensions may be made to facilitate release back into the wild if approved by a conservation officer **or staff specialist within the Division of Fish and Wildlife** prior to elapse of the conditional timeframe (180 days). The time of year and extensive injuries are factors that will be taken into consideration for the release of the wild animals.

**4. ~~Procedures~~ Wild Animals Deemed Not-Releasable or Not Released within 180 Days as Required by Section 3**

**(A) Disposition of Permanently Injured, Non-releasable Small Mammals and Non-Migratory Game Birds**

- 1) **Small Mammals** that have been ~~retained prior to January 1, 2004~~ **taken in for the purpose of rehabilitation as non-releasable** under a rehabilitation permit **and determined to be non-releasable** ~~can~~ **may** continue to be possessed, but only under a valid wild animal possession permit. The wild animal possession permit ~~can~~ **may** be obtained after making application that includes a successfully completed inspection by a conservation officer and approval from the Division of Fish and Wildlife. **Applications for wild animal possession permits for non-releasable small mammals will require written verification from a licensed veterinarian that the mammal is non-releasable.**

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- 2) The mammal ~~or non-migratory game bird~~ can be ~~retained~~ **publicly displayed only** under an educational permit. The educational permit has to be approved and issued by the Division of Fish and Wildlife for that specific mammal ~~or non-migratory game bird~~ and for the purpose outlined in the application.
- 3) The mammal ~~or non-migratory game bird~~ that is deemed non-releasable and does not fall under categories one and two listed above ~~should~~ **shall** be euthanized. **All non-releasable non-migratory game birds (ring-necked pheasants, bobwhite quail, wild turkeys and ruffed grouse) taken in by a rehabilitator and deemed non-releasable shall be euthanized.**
- 4) It the responsibility of the rehabilitator to cause it to be euthanized.

### (B) Disposition of Permanently Injured, Non-releasable White-Tailed Deer

- 1) All white-tailed deer taken in by a rehabilitator and deemed non-releasable must be euthanized. It the responsibility of the rehabilitator to cause the animal to be euthanized.
- 2) Injured or orphaned white-tailed deer may be given to licensed wild animal rehabilitators, but must be released within 180 days or euthanized. Orphaned or rehabilitated white-tailed deer obtained from the wild ~~may~~ **shall** not be sold, ~~or~~ given to licensed Indiana game breeders, **possessed under a game breeder license or any other state or federal license, or transferred to the rehabilitator's game breeder license.**
- 3) Non-releasable white-tailed deer transferred from a rehabilitation permit to a valid game breeder license with authorization from a conservation officer prior to January 1, 2004 can still be possessed under the game breeder license.
- 4) White-tailed deer that are unlawfully possessed ~~will~~ **shall** be euthanized.

### (C) Disposition of Permanently Injured, Non-releasable Migratory Birds

- 1) **Migratory birds that have been taken in for the purpose of rehabilitation under a rehabilitation permit and determined to be non-releasable may continue to be possessed, but only under a valid possession permit issued by the U.S. Fish and Wildlife Service and an educational permit issued by the Division of Fish and Wildlife. The permanently injured, non-releasable migratory bird may be possessed only in accordance with federal law and will require written verification from a licensed veterinarian that the bird is non-releasable. The educational permit has to be approved and issued by the Division of Fish and Wildlife for that specific bird and for the purpose outlined in the application.**
- 2) **The migratory bird that is deemed non-releasable and does not meet the requirements under category one shall be euthanized. It the responsibility of the rehabilitator to cause it to be euthanized.**

### (D) Disposition of Permanently Injured, Non-releasable Reptiles and Amphibians

- 1) As of January 1, 2005, turtles that are non-releasable or obtained from owners who no longer want to possess them may be retained (possessed) under a valid special purpose turtle possession permit. The special purpose turtle possession permit can be obtained after making application that includes a successfully completed inspection by a conservation officer and approval from the Division of Fish and Wildlife. Turtles possessed under this permit cannot be released into the wild.
- 2) The reptile or amphibian can be ~~retained~~ **publicly displayed** under an educational permit. The educational permit has to be approved and issued by the Division of Fish and Wildlife for that specific reptile or amphibian and the purpose outlined in the application.

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- 3) The reptile or amphibian **that is deemed non-releasable and does not fall under categories one and two listed above** ~~should~~**shall** be euthanized. It the responsibility of the rehabilitator to cause it to be euthanized.